

REMARKS

Applicants have read and considered the Office Action dated January 26, 2005 and the references cited therein. Claims 1 and 24 have been amended to more precisely recite the present invention, as supported in the description. Claims 1-14, 16-20 and 23-24 have been amended to correct minor clerical errors. Claims 1-24 remain pending in the application. Reconsideration of this Application is requested.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1, 2, 11, 14 and 24 were rejected under 35 U.S.C. § 102 (b), as being anticipated by Moser et al. Applicants respectfully traverse the rejection as follows.

Moser et al. teaches a surface topographer based on conoscopic holography, using an assembly projecting an interference pattern produced by interference between an ordinary ray and an extraordinary ray refracted by a birefringent medium hit by an incident light, these two types of rays experiencing a different phase shift due to their different indices of refraction in the birefringent medium (see column 8 lines 24-30 of Moser et al.). The incident light may be monochromatic (see column 12 lines 30-31).

In sharp contrast, the device recited in the claims of the present invention has a pattern projecting assembly for simultaneously projecting at least two phase-shifted patterns onto an object, each of the at least two phase-shifted patterns being produced by decomposition of a white light or a non-white source, including a plurality of monochromatic lights, into a plurality of monochromatic lights or into non overlapping bandwidths (see page 12 lines 10-15).

Applicants assert that nothing in Moser et al. teaches or suggests the grabber as recited in the amended claims 1 and 24 as filed. The recited invention is used for different applications utilizing different light to produce different patterns that are not possible with Moser et al. or any other prior art or combination of prior art.

In view of the above and foregoing, it is respectfully requested that the rejection of claims 1 and 11, as well as claims 2-15, dependent on claim 1, under 35 U.S.C. § 102 (b) be withdrawn.

Claims 15-23 were allowed. Applicants thank the Examiner for the allowance of these claims.


It is believed that the present remarks overcome the rejections. From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such an action is earnestly solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicants' Representative at 612 336-4728.

Respectfully submitted,

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